

Date: June 28, 2006
Referred by: PAC
Revised: 07/26/06-C 09/27/06-C
 11/15/06-C 12/20/06-C
 01/24/07-DA 02/28/07-C
 05/23/07-C

ABSTRACT

Resolution No. 3751, Revised

This resolution approves the allocation of fiscal year 2006-07 State Transit Assistance funds to claimants in the MTC region.

This resolution was revised on July 26, 2006 to allocate additional funds to claimants in the MTC region.

This resolution was revised on September 27, 2006 to allocate funds to Golden Gate and SamTrans.

This resolution was revised on November 15, 2006 to allocate funds to Santa Rosa.

This resolution was revised on December 20, 2006 to allocate funds to SF Muni and Sonoma County Transit.

This resolution was revised by Delegated Authority on January 24, 2007 to rescind funds from SamTrans.

This resolution was revised on February 28, 2007 to allocate funds to Santa Clara VTA.

This allocation was revised on May 23, 2007 to allocate funds to AC Transit.

Discussion of the allocations made under this resolution are contained in the MTC Operator Summaries and/or Executive Director Memoranda presented to the Programming and Allocations Committee on June 14, 2006, July 12, 2006, September 13, 2006, November 2, 2006, December 13, 2006, February 14, 2007 and May 9, 2007.

Date: June 28, 2006
Referred by: PAC

Re: Allocation of Fiscal Year 2006-07 State Transit Assistance to Claimants in the MTC Region

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3751

WHEREAS, pursuant to Government Code § 66500 et seq., the Metropolitan Transportation Commission (“MTC”) is the regional transportation planning agency for the San Francisco Bay Area ; and

WHEREAS, the Mills-Alquist-Deddeh Act (“Transportation Development Act” or “TDA”), Public Utilities Code Section 99200 et seq., provides that the State Controller shall, pursuant to Public Utilities Code Section 99310, allocate funds in the Public Transportation Account (“PTA”) to the MTC region to be subsequently allocated by MTC to eligible claimants in the region; and

WHEREAS, pursuant to Public Utilities Code Section 99313.6, MTC has created a State Transit Assistance (“STA”) fund which resides with the Alameda County Auditor for the deposit of PTA funds allocated to the MTC region; and

WHEREAS, pursuant to Public Utilities Code Sections 99314.5(a) and 99314.5(b), claimants eligible for Transportation Development Act Article 4 and Article 8 funds are eligible claimants for State Transit Assistance funds; and

WHEREAS, eligible claimants have submitted applications to MTC for the allocation of fiscal year 2006-07 STA funds; and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the amounts of and purposes for the fiscal year 2006-07 allocations requested by claimants, and is from time-to-time revised; and

WHEREAS, this resolution, including the revisions to Attachment A and the sum of all allocations made under this resolution, are recorded and maintained electronically by MTC; and

WHEREAS, pursuant to 21 California Code of Regulations Section 6754, and MTC Resolution No. 2310, Revised, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required findings MTC must make, as the case may be, pertaining to the various claimants to which funds are allocated; and

WHEREAS, the claimants to which funds are allocated under this resolution have certified that the projects and purposes listed and recorded in Attachment A are in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 et seq.); now, therefore, be it

RESOLVED, that MTC approves the findings set forth in Attachment B to this resolution; and, be it further

RESOLVED, that MTC approves the allocation of fiscal year 2006-07 STA funds to the claimants, in the amounts, for the purposes, and subject to the conditions, as listed and recorded on Attachment A to this resolution; and, be it further

RESOLVED, that, pursuant to 21 Cal. Code of Regs. §§ 6621 and 6753, a certified copy of this resolution, along with written allocation instructions for the disbursement of STA funds as allocated herein, shall be forwarded to the Alameda County Auditor.

METROPOLITAN TRANSPORTATION COMMISSION

Jon Rubin, Chair

The above resolution was approved by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on June 28, 2006.

Date: June 28, 2006
Referred by: PAC

Attachment A
Resolution No. 3751
Page 1 of x

ALLOCATION OF FISCAL YEAR 2006-07
STATE TRANSIT ASSISTANCE FUNDS
TO CLAIMANTS IN THE MTC REGION

INSERT MICROSOFT EXCEL DOCUMENT

Prior to Commission approval of this resolution or a revision to this resolution, the Microsoft Excel document resides on the MTC local area network at:

J:/Section/Allstaff/Resolution/Temp-res/MTC/tmp-3751.xls

Subsequent to Commission approval, the Microsoft Excel document resides on the MTC local area network at:

J:/Section/Allstaff/Resolution/RESOLUTIONS/MTC Resolutions/RES-3751.xls

ALLOCATION OF FISCAL YEAR 2006-07 STATE TRANSIT ASSISTANCE FUNDS
TO CLAIMANTS IN THE MTC REGION

FINDINGS

The following findings pertain, as the case may be, to claimants to which State Transit Assistance funds are allocated under this resolution.

1. That each claimant has submitted, or shall have submitted prior to the disbursement of funds, copies, to MTC and to appropriate agencies, of all required State Controller's reports and fiscal audit reports prepared in accordance with PUC §§ 99243 and 99245; and
2. That the projects and purposes for which each claimant has submitted an application for TDA Article 8 funds to MTC are in conformance with MTC's Regional Transportation Plan (21 Cal. Code of Regs. § 6651), and with the applicable state regulations (21 Cal. Code of Regs. § 6600 et seq.), and with the applicable MTC rules and regulations; and
3. That each claimant has submitted to MTC as part of its application for TDA Article 4 funds a budget indicating compliance with the 50% expenditure limitation of PUC § 99268, or with the applicable fare or fares-plus-local-support recovery ratio requirement (PUC §§ 99268.2, 99268.3, 99268.4, 99268.12, or 99270.5), or with the applicable fare or fares-plus-local-match recovery ratio requirement (as set forth, respectively, in PUC §§ 99268.5, 99268.12, or MTC Resolution No. 1209, Revised), as so attested to by the claimant's chief financial officer; and
4. That each claimant is making full use of federal funds available under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) Act for the 21st Century ("TEA-21"), as amended; and
5. That the sum of each claimant's allocation of Transportation Development Act and State Transit Assistance funds does not exceed the amount the claimant is eligible to receive, in accordance with the calculations prescribed by 21 Cal. Code of Regs. § 6633.1 or § 6634; and

6. That MTC has given priority consideration to claims to offset reductions in federal operating assistance and the unanticipated increase in the cost of fuel, to enhance existing public transportation services, and to meet high priority regional, countywide, or areawide public transportation needs; and
7. That each claimant has made a reasonable effort to implement the productivity improvements recommended pursuant to PUC § 99244; and
8. That each claimant has submitted to MTC a copy of a certification from the California Highway Patrol verifying that the claimant is in compliance with Section 1808.1 of the Vehicle Code (“Pull Notice Program”), as required by PUC § 99251; and
9. That each claimant is in compliance with the eligibility requirements of PUC §§ 99314.6 or 99314.7; and
10. That each claimant has certified that it has entered into a joint fare revenue sharing agreement with every connecting transit operator, and that it is in compliance with MTC’s Transit Coordination Implementation Plan, pursuant to Government Code §§ 66516 and 66516.5, PUC §§ 99314.5(c) and §99314.7, and MTC Resolution No. 3055, Revised.

**See RES-3750
for
Executive Director's Memorandum
and
PAC Summary Page
dated June 14, 2006**

Metropolitan Transportation Commission Programming and Allocations Committee

December 13, 2006

Item Number 2b

Resolution No. 3751, Revised

- Subject:** Allocation of State Transit Assistance (STA) to various operators to support transit capital projects.
- Background:**
- 1) The San Francisco Municipal Transportation Agency on behalf of the San Francisco Municipal Railway (Muni) is requesting allocation of \$25.0 million in STA Revenue-based funds for the Third Street Light Rail Project Phase 1 – Initial Operating Segment. (Phase 2 of the Third Street Light Rail Project is the New Central Subway.) The funds will be used for the Initial Operating Segment and the Metro East Light Rail Maintenance Facility. The new facility is for the storage and maintenance of 80 Muni light rail vehicles needed for the Third Street Light Rail line and to relieve overcrowded conditions at Green Division, Muni's other light rail maintenance facility. This allocation should complete the funding of the \$648 million project. The Initial Operating Segment is scheduled to begin operation in the spring of 2007 although the Metro East Light Rail Maintenance Facility won't be completed until the summer of 2008. A significant portion of these STA funds come from the Spillover and Proposition 42 payback for STA.
 - 2) Sonoma County Transit is requesting allocation of \$1.2 million in STA Population-based funds for vehicle replacement. The funds will provide local match for programmed fixed-route and paratransit vehicle replacements and acquisition of replacement non-revenue vehicles including a shop truck and staff/shuttle vehicles.
- Issues:** None
- Recommendation:** Refer MTC Resolution No. 3751, Revised to the Commission for approval.
- Attachments:** MTC Resolution No. 3751, Revised
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Metropolitan Transportation Commission Programming and Allocations Committee

May 9, 2007

Item Number 2b

Resolution No. 3751, Revised

- Subject:** Allocation of State Transit Assistance (STA) to AC Transit
- Background:** AC Transit is requesting allocation of \$7.7 million in STA Revenue-based funds to fully fund the replacement of twenty-five 30-foot buses.
- AC Transit had initially budgeted these STA funds for operating support, and an equivalent amount of local funds was budgeted for the replacement buses. AC Transit is now proposing to revise its funding plan with respect to these two fund sources. By using STA funds to support this capital project, instead of locally generated funds, AC Transit can increase its proportional share of the statewide STA Revenue-based funds. This is because locally generated funds used in the operating budget increase the 'qualifying revenue' that is the basis of the Revenue-based fund distribution. STA funds used in the operating budget do not increase an operator's 'qualifying revenue'.
- Issues:** None
- Recommendation:** Refer MTC Resolution No. 3751, Revised to the Commission for approval.
- Attachments:** MTC Resolution No. 3751, Revised